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2 VARELL L. FULLER
Assistant Federal Public Defender
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5 Counsel for Defendant RUELAS
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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,)	Nos. CR 11- 00558 - LHK
)	CR 11- 00559 - LHK
12 Plaintiff,)	CR 11- 00560 - LHK
)	CR 11- 00706 - LHK
13 vs.)	
)	JOINT STIPULATION AND REQUEST TO
14 MICHAEL RUELAS and)	CONTINUE SENTENCING HEARING
LORENZO ISRAEL GARCIA,)	DATE TO FEBRUARY 13, 2013; AND
)	PROPOSED ORDER
15 Defendant.)	
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18 **STIPULATION**

19 Defendant Michael Ruelas, by and through Assistant Federal Public Defender Varell L.
20 Fuller; Lorenzo Israel Garcia, by and through Counsel Jack Gordon; and the United States, by
21 and through Assistant United States Attorney Thomas M. O'Connell, hereby stipulate and agree,
22 subject to the Court's approval, that the sentencing hearing presently set for Wednesday,
23 December 13, 2012, at 9:00 a.m., be continued to Wednesday, February 13, 2013, at 9:00 a.m.

24 Defendants Michael Ruelas and Lorenzo Israel Garcia have pled guilty and a sentencing
25 hearing is presently set for December 13, 2012, as to both defendants. The parties respectfully
26 ask that the sentencing hearing date be continued to help facilitate the completion of the

1 presentence report investigation and to permit the parties additional time necessary to prepare for
2 the sentencing hearing. United States Probation Officer Benjamin Flores, who has been assigned
3 to conduct the presentence investigation, has been consulted about the requested continuance and
4 has no objection. The parties further agree that the deadlines by which the United States
5 Probation Office must disclose the draft and final pre-sentence reports shall be adjusted
6 according to the new February 12, 2013, sentencing date.

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8 Dated: November 27, 2012

_____/s/_____
VARELL L. FULLER
Assistant Federal Public Defender
Counsel for Michael Ruelas

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10
11 Dated: November 27, 2012

_____/s/_____
JACK GORDON
Counsel for Lorenzo Israel Garcia

12
13 Dated November 27, 2012


_____/s/_____
THOMAS M. O' CONNELL
Assistant United States Attorney

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15 //

~~[PROPOSED]~~ ORDER

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17 GOOD CAUSE APPEARING, and by stipulation of the parties, it is hereby ordered that
18 the sentencing hearing date set for Wednesday, December 12, 2012, at 9:00 a.m. is continued to
19 Wednesday, February 13, 2013, at 9:00 a.m., and the dates by which United States Probation
20 must disclose the draft and final pre-sentence reports shall be adjusted accordingly.

21 Dated: 11/29/12



THE HONORABLE LUCY H. KOH
United States District Court Judge